

PROB 12C
DMT Rev 01-17

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MONTANA
Petition for Warrant for Offender Under Supervision

Name of Offender: Garrett Sidney Henderson Wadda **Docket Number:** 0977 1:14CR00027-001

Name of Sentencing Judicial Officer: THE HONORABLE SUSAN P. WATTERS
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 06/04/2015

Original Offense: 18:3.F; ACCESSORY AFTER THE FACT

Original Sentence: 120 months custody, 36 months supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 01/19/2022

Assistant U.S. Attorney: Lori Harper Suek
2601 2nd Ave N, Box 3200, Billings, MT 59101, (406) 657-6101

Defense Attorney: Steve Babcock
Federal Defenders Office, 2702 Montana Ave, Suite 101, Billings, MT 59101, (406) 259-2459

PETITIONING THE COURT

Background

On 06/04/2015, the defendant appeared for sentencing before THE HONORABLE SUSAN P. WATTERS, UNITED STATES DISTRICT JUDGE, having pled guilty to the offenses of 18:3.F; ACCESSORY AFTER THE FACT. The offense involved the defendant, after a night of drinking, moving the victim's body to another location, in an effort to direct law enforcement's attention away from himself and his co-defendant. When questioned by law enforcement, he advised them he had no knowledge of the circumstances of the victim's death, but admitted to moving the victim's body. The defendant was sentenced to 120 months custody, followed by 36 months supervised release.

The defendant was released from the Bureau of Prisons (BOP) custody via the First Step Act and began the current term of supervised release on 01/19/2022. According to BOP calculations, the defendant has 165 days credit remaining which would be applied towards any sentence imposed in this matter.

On 03/31/2022, a Report on Offender Under Supervision was submitted notifying the Court of the defendant's use of methamphetamine and alcohol, and a missed urinalysis test. After addressing the alcohol and methamphetamine use with the defendant, it was determined he would be enrolled in treatment services with Alternatives, Inc. and continue with urinalysis testing to help monitor his sobriety. The Court agreed with this course of action in lieu of revocation.

Since that time, the probation officer believes the offender has violated the following condition(s) of supervision:

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<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>Special condition: The defendant shall participate in substance abuse testing, to include not more than 365 urinalysis tests, not more than 365 breathalyzer tests, annually during the period of supervision. The defendant shall pay part or all of the costs of testing as directed by the United States Probation Officer.</p> <p>On 03/10/2022, the defendant failed to report for a random drug test with Alternatives, Inc., a contracted urinalysis vendor. The defendant did not receive prior approval to miss this test.</p> <p>On 04/01/2022, the defendant failed to report for a random drug test with Alternatives, Inc., a contracted urinalysis vendor. The defendant did not receive prior approval to miss this test.</p>
2	<p>Mandatory condition: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.</p> <p>On 03/29/2022, during a community contact, the defendant tested positive for and admitted to using methamphetamine on 03/27/2022. The defendant signed a written admission further substantiating this information.</p>
3	<p>Special condition: The defendant shall abstain from the consumption of alcohol and shall not enter establishments where alcohol is the primary item of sale. This condition superseded standard condition number 7 with respect to alcohol consumption only.</p> <p>On 03/29/2022, during a community contact, the defendant tested positive for and admitted to consuming alcohol on 03/27/2022. The defendant signed a written admission further substantiating this information.</p> <p>On 04/10/2022, during a community contact, the defendant admitted he consumed alcohol on 04/09/2022. The defendant signed a written admission further substantiating this information.</p> <p>On 04/12/2022, the defendant tested positive for alcohol during a random urinalysis test with Alternatives Inc., a contracted urinalysis vendor.</p>
4	<p>Special condition: The defendant shall participate in and successfully complete a program of substance abuse treatment as approved by the United States Probation Office, until the defendant is released from the program by the probation officer. The defendant is to pay part or all of the cost of this treatment, as directed by the United States Probation Office.</p>

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On 04/11/2022, the defendant failed to report for both his scheduled individual and group substance abuse treatment sessions with Alternatives, Inc., a contracted treatment provider. The defendant did not receive prior approval to miss this appointment.

AFFIDAVIT AND PETITION PRAYING THAT THE COURT WILL ORDER A WARRANT BE ISSUED

In conformance with the provision of 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge. Based on the information presented that the offender has violated conditions of supervision, I am petitioning the Court to issue a warrant.

Reviewed

By:

Raymond Antonsen
Raymond Antonsen
Supervising United States Probation
Officer

Date: 04/13/2022

Respectfully Submitted

By:

Josh Lachenmeier
Josh Lachenmeier
United States Probation Officer

Date: 04/13/2022

ORDER OF COURT

I find there is probable cause to believe the offender has violated conditions of supervision, supported by the above affirmation given under penalty of perjury. The Court orders the issuance of a warrant. Considered and ordered this 14th day of April, 2022, and ordered filed **UNDER SEAL** and made a part of the records in the above case.

IT IS FURTHER ORDERED that upon notification to the Clerk of Court's Office that the above named Defendant has been taken into custody, the Petition for Warrant or Summons for Offender Under Supervision shall be unsealed.

Susan P. Watters
Susan P Watters
United States District Judge

4-14-2022
Date